

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-18 are pending. Claims 1, 9 and 17 are independent. Claims 1, 6, 9, 14 and 17 are hereby amended. No new matter is added by these amendments. Support for the amended recitations in the claims is found throughout the specification and specifically from page 11, lines 4-9. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

Claims 6-8 and 14-16 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Applicants submit that these claims depend, either directly or indirectly from one of the independent base claims noted above, and as such are allowable without being rewritten in independent form.

II. REJECTIONS UNDER 35 U.S.C. §102 and 103

Claims 1-3, 9-11, 17 and 18 were rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 5,159,447 to Haskell et al.

Claims 4 and 12 were rejected under 35 U.S.C. §103(a) as allegedly unpatentable over Haskell et al. in view of U.S. Patent No. 5,917,954 to Girod et al.

Claim 1 recites, *inter alia*:

“A data multiplexing apparatus comprising...

a plurality of buffers for respectively storing a plurality of inputted data, each of said plurality of buffers including a start sync code detecting section, a serial data buffer and a byte alignment section...” (emphasis added)

As understood by Applicants, U.S. Patent No. 5,159,447 to Haskell et al. relates to buffer overflow and buffer underflow problems encountered when employing variable or effectively variable bit-rate channels for communicating encoded video images that are overcome by jointly controlling the number of bits employed to encode each video frame and the transmission bit-rate of the variable bit-rate channel as experience by the encoder. The selection of the number of bits employed to encode each video frame, and hence the encoder bit-rate, as well as the associated channel bit-rate are determined from the encoder buffer fullness, a determination of the decoder buffer fullness and any constraint imposed on the channel. The encoder is responsive to the selected encoder bit-rate and accordingly adjusts its encoding parameters so as to achieve the selected encoder bit-rate.

As understood by Applicants, U.S. Patent No. 5,917,954 to Girod et al. relates to an image processing system that operates at reduced resolution to reduce computational complexity while remaining fully compatible with full resolution decoders. A video input signal is sub-sampled and encoded at the resulting lower resolution. The encoded signal is filled with zero terms to produce an encoded signal having the same number of terms as a full resolution encoded signal. In a motion-compensated hybrid coder, the decoder section also includes a sub-

sampling system, so that the reconstructed video signal is produced at the same resulting lower resolution. The encoder section and the decoder section are each inverse functions of the other, eliminating a drift problem associated with prior systems.

Applicants submit that Haskell and Girod, taken alone or in combination, do not teach or suggest the above-identified features of claim 1. Specifically, Applicants submit that there is no teaching or suggestion of a plurality of buffers for respectively storing a plurality of inputted data, each of the plurality of buffers including a start sync code detecting section, a serial data buffer and a byte alignment section, as recited in claim 1. Therefore, Applicants submit that independent claim 1 is patentable.

For reasons similar to or somewhat similar to those described above with regard to independent claim 1, amended independent claims 9 and 17 are also believed to be patentable.

Therefore, Applicants submit that independent claims 1, 9 and 17 are patentable.

III. DEPENDENT CLAIMS

The other claims are dependent from one of the independent claims, discussed above, and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

CONCLUSION

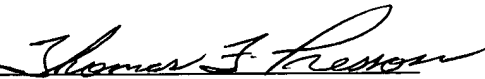
In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference or references, it is respectfully requested that the Examiner specifically indicate those portions of the reference, or references, providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Respectfully submitted,

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